SAO 245B(05-MA)

18§2

(Rev. 06/05) Judgment in a Criminal Case Sheet I - D. Massachusetts - 10/05

UNITED STATES DISTRICT COURT District of Massachusetts JUDGMENT IN A CRIMINAL CASE UNITED STATES OF AMERICA V. MATTHEW DAVIS Case Number: 1: 08 CR 10166 - 001 - RGS USM Number: 26862-038 William M. White, Jr. Defendant's Attorney ✓ Additional documents attached Map and List of Names THE DEFENDANT: 1 of a 1 Count Indictment on 4/4/09 pleaded guilty to count(s) pleaded nolo contendere to count(s) which was accepted by the court. was found guilty on count(s) after a plea of not guilty. The defendant is adjudicated guilty of these offenses: Additional Counts - See continuation page Offense Ended **Title & Section** Nature of Offense 21§841(a)(1) Possession of Cocaine Base with Intent to Distribute 02/24/08 Aiding and Abetting The defendant is sentenced as provided in pages 2 through ______ of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984. The defendant has been found not guilty on count(s) are dismissed on the motion of the United States. Count(s) It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances. The Honorable Richard G. Stearns Judge, U.S. District Court Name and Title of Judge

Date

SAO 245B(05-MA)

(Rev. 06/05) Judgment in a Criminal Case Sheet 2 - D. Massachusetts - 10/05

DEFENDANT: MATTHEW DAVIS CASE NUMBER: 1: 08 CR 10166 - 001 - RGS	Judgment — Page 2 of 11
IMPRISONMENT	
The defendant is hereby eommitted to the eustody of the United States Bure otal term of: 84 month(s)	
The eourt makes the following recommendations to the Bureau of Prisons: Designated to FCI Raybrook or some other facility where defendar vocational training to prepare him to enter the workforce upon his	
The defendant is remanded to the custody of the United States Marshal.	
The defendant shall surrender to the United States Marshal for this district:	
at a.m. p.m. on as notified by the United States Marshal.	
The defendant shall surrender for service of sentence at the institution design	gnated by the Bureau of Prisons:
before 2 p.m. on	
as notified by the United States Marshal. as notified by the Probation or Pretrial Services Office.	
RETURN	
have executed this judgment as follows:	
Defendant delivered on	_ to
, with a certified copy of this judg	gment.
	UNITED STATES MARSHAL
Ву	DEPUTY UNITED STATES MARSHAL

(Rev. 06/05) Judgment in a Criminal Case ♠AO 245B(05-MA) Sheet 3 - D. Massachusetts - 10/05 Judgment—Page 3 MATTHEW DAVIS DEFENDANT: CASE NUMBER: 1: 08 CR 10166 - 001 - RGS SUPERVISED RELEASE See continuation page 60 month(s) Upon release from imprisonment, the defendant shall be on supervised release for a term of: The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons. The defendant shall not commit another federal, state or local crimc. The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, not to exceed 104 tests per year, as directed by the probation officer. The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.) The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.) The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.) The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

1) the defendant shall not leave the judicial district without the permission of the court or probation officer;

The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

- the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;

student, as directed by the probation officer. (Check, if applicable.)

- the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

SAO 245B(05-MA)

(Rev. 06/05) Judgment in a Criminal Case Sheet 4A - Continuation Page - Supervised Release/Probation -10/05

		Judgment—Page 4 of 11	
TO A NITE.	MATTHEW DAVIS	sudgition 1 ago or	

DEFENDANT: MAT

CASE NUMBER: I: 08 CR 10166 - 001 - RGS

ADDITIONAL□ SUPERVISED RELEASE□ PROBATION TERMS

Continuation of Conditions of ✓ Supervised Release ☐ Probation

- 1. The defendant is to participate in a mental health treatment program as directed by the Probation Office and shall be required to contribute to the costs of services for such treatment based on the ability to pay or availability of third-party payment.
- 2. During the first six (6) months of supervision, the defendant shall be restricted to his approved residence between the hours of 8:00 P.M. until 6:00 A.M. unless such schedule is modified by the Probation Office to accommodate verified employment, schooling, or treatment. This curfew shall be monitored and enforced by electronic monitoring; and the defendant shall pay for the costs of the program as determined under the national contract. The defendant is responsible for returning the monitoring equipment in good condition and may be charged for replacement or repair of the equipment.
- 3. The defendant is prohibited from entering the Morse Street area of Dorchester, MA (outlined on the attached map) without the prior express permission of the Probation Office. The restricted area is bounded by Blue Hill Avenue, Quincy Street, East Street, Dorchester Avenue, Talbot Avenue, Norfolk Street, and Woodrow Avenue.
- 4. The defendant is prohibited from being in the company of, or having any direct or indirect contact with, the following individuals who are members or associates of the Morse Street Gang (on the attached list):

 Nathaniel Awan, Andre Barnett, Terahn Blue, William Boyd, Jaquan Braxton,

 Continued

ъAO 245B(05-MA)	Sheet 4A - Continuation Page - Supervised Release/Probation -10/05	
		Judgment—Page5_ of11
DEFENDANT: CASE NUMBER	: 1: 05 CR	
	ADDITIONAL ☐ SUPERVISED RELEASE ☐ PR	ROBATION TERMS
	Continuation of Conditions of Supervised Release	se 🗌 Probation
continued	from page 4	
Jonathan I	Braxton, Jamal Brodie, Martel Burgan, Broshawn Coakley, Hen	ry Coakley, Avery Combs, Marcel

Dixon, Theophilus Eve, Frankie Fairweather, Ellis Golden, Desmond Harris, Dimitri Harris, Khayree Horton, Lamont Jacobs-Barrows, Brandon Johnson, Laurence Justice, Dwan Knight, Ronnie Langham, Rafael Mirambeaux, Alexander Mojica, Damien Oliver, Melvin Palmer, Percy Palmer, Kareem Parker, William Pritchett, Tyrone Rutledge, Ramses Smith, Markie Stokes, Justin Tomkins, Rashad Venter, Walter West, Calvin White, Andrick Wilkins, David Wood, Keith Woods, Anthony Young and Chancellor Young.

5. Court recommends that the defendant participate in the RESTART Program.

SAO 245B(05-MΛ)	(Rev. 06/05) Judgment in a Criminal Case Sheet 5 - D. Massachusetts - 10/05			
DEFENDANT: CASE NUMBE	MATTHEW DAVIS R: 1: 08 CR 10166 - 001 -		Judgment — Y PENALTIES	- Page 6 of 11
The defendar	nt must pay the total criminal monetary			eet 6.
TOTALS	<u>Assessment</u> \$ \$100.00	<u>Fine</u> \$	<u>Res</u> \$	<u>stitution</u>
The determin	nation of restitution is deferred until	An Amende	d Judgment in a Criminal	Case (AO 245C) will be entered
The defendar	nt must make restitution (including eor	nmunity restitution) t	o the following payees in the	e amount listed below.
If the defenda the priority o before the Ur	ant makes a partial payment, each payorder or percentage payment column be nited States is paid.	ee shall receive an appelow. However, purs	proximately proportioned partial uant to 18 U.S.C. § 3664(i),	yment, unless specified otherwise in all nonfederal vietims must be paid
Name of Payee	Total Loss*	Re	stitution Ordered	Priority or Percentage
				See Continuation
TOTALS	\$	\$0.00_ s	\$0.00	Page
The defenda fifteenth day to penalties in the intermediate in the intermediate.	amount ordered pursuant to plea agreed and must pay interest on restitution and after the date of the judgment, pursuant of the defendant does not be termined that the defendant does not be rest requirement is waived for the crest requirement for the fine	a fine of more than \$ ant to 18 U.S.C. § 3612(§ to 18 U.S.C. § 3612(§ nave the ability to pay fine restitu	2(f). All of the payment optig).	tions on Sheet 6 may be subject
* Findings for the t September 13, 199	total amount of losses arc required unde 94, but before April 23, 1996.	er Chapters 109A, 110), 110A, and 113A of Title 18	for offenses committed on or after

⊗ AO 245B(05-MA)	(Rev. 06/05) Judgment in a Crimin Sheet 6 - D. Massachusetts - 10/05	al Casc		_
DEFENDANT:	MATTHEW DAVIS : 1: 08 CR 10166 -	001 - PCS	Judgment — Page 7 of 11	_
CASE NUMBER	: 1: V6 CK 10100 -	001 - KGS		
		SCHEDULE OF PAYM	ENTS	
Having assessed the	e defendant's ability to pay, p	ayment of the total criminal mone	stary penalties are due as follows:	
A Lump su	m payment of \$ \$100.00	due immediately, balance	e due	
not in a	later than C,	or D, E, or F below	w; or	
B Payment	to begin immediately (may b	e combined with C,	D, or F below); or	
C Payment	in equal (c (e.g., months or years),	.g., weckly, monthly, quarterly) in o commence(e.g., 3	stallments of \$ over a period of 80 or 60 days) after the date of this judgment; or	
	in cqual (e (e.g., months or years), t upervision; or	.g., weekly, monthly, quarterly) in o commence (e.g., 3	astallments of \$ over a period of \$ 0 or 60 days) after release from imprisonment to a	
			(e.g., 30 or 60 days) after release from tent of the defendant's ability to pay at that time; or	
F Special i	nstructions regarding the pay	ment of criminal monetary penaltic	es:	
			ment, payment of criminal monetary penalties is due during brough the Federal Bureau of Prisons' Inmate Financia	Ĭ
The detendant shar	receive erean for an paymer	no providuoly made toward any or	minut monetary penantes imposed.	
Joint and Seve		ase Numbers (including defendan	Sce Continua Page at number), Total Amount, Joint and Several Amount,	tion
and correspon	ding payee, if appropriate.			
The defendan	t shall pay the cost of prosecu	tion.		
The defendan	t shall pay the following cour	t cost(s):		
The defendan	shall forfeit the defendant's	interest in the following property t	to the United States:	
Payments shall be a (5) fine interest, (6)	upplied in the following order ecommunity restitution, (7) po	: (1) assessment, (2) restitution prienaltics, and (8) costs, including co	incipal, (3) restitution interest, (4) fine principal, ost of prosecution and court costs.	

AO 24	5B			Criminal Judgment (Page 1) Statement of Reasons - D. Massachusetts - 10/05										
DEFENDANT.			•	MASSACHUSETTS	001 - RGS STATEMENT OF REASONS	Judgment — Page 8 of 11								
I	CO	URT F	IND	INGS ON PRESENTENC	E INVESTIGATION REPORT									
	A	$ \mathbf{A}$	The	court adopts the presenter	nce investigation report without chang	е.								
	В			ving changes. paragraph numbers in the presentence report, if applicable.)										
		I		Chapter Two of the U.S.S.G. Ma specific offense characteristics):	nual determinations by court (including changes to	o base offense level, or								
		2			1anual determinations by court (including changes justice, multiple counts, or acceptance of responsib									
		3		Chapter Four of the U.S.S.G. Mascores, career offender, or criminal	anual determinations by court (including changes of livelihood determinations):	to criminal history category or								
		4			gs (including comments or factual findings concerr I Bureau of Prisons may rely on when it makes inm	_								
	C		The	record establishes no need	d for a presentence investigation repor	t pursuant to Fed.R.Crim.P. 32.								
II	cc	OURT I	FIND	DING ON MANDATORY	MINIMUM SENTENCE (Check all tha	at apply.)								
	Α	V	No c	ount of conviction carries a mandat	tory minimum sentence.									
	В		Man	datory minimum sentence imposed.										
	С		sente		ed in the indictment carry a mandatory minimum to minimum term because the court has determined the									
				findings of fact in this case substantial assistance (18 U.S.C. § the statutory safety valve (18 U.S.)	• • • • • • • • • • • • • • • • • • • •									
III	CC	OURT I)ET	ERMINATION OF ADVIS	SORY GUIDELINE RANGE (BEFOR	RE DEPARTURES):								
	Cri Imp Sup	prisonm pervised te Rang	Histor nent H I Rel e: \$	ry Category: VI Range: 151 to 188 ease Range: 3 15,000 to \$ 1,000	8 months to 3 years 0,000 ange because of inability to pay.									

AO :	245B (05-	MA) (Rev. 06/05 Attachment	5) Criminal Judgment (Page 2) Statement of	Reasons - D. M	assachusetts - 10/05													
CA	FENDA SE NU STRICT	MBER: 1: 0	TTHEW DAVIS 8 CR 10166 - SSACHUSETTS	001 - RO	GS MENT OF REASONS		Jud	lgment — Page 9 of 11										
IV	ADV	ISORY GUID	ELINE SENTENCI	NG DETER	G DETERMINATION (Check only one.)													
	A [The senter	nce is within an advisory (guideline range	e that is not greater than 24 months,	and the	court find	s no reason to depart.										
	В		nce is within an advisory gon VIII if necessary.)	guideline range	e that is greater than 24 months, and	the spec	ilīc senter	nce is imposed for these reasons.										
	C [The court departs from the advisory guideline range for reasons authorized by the sentencing guidelines manual. (Also complete Section V.)																
	D 🚹	The court imposed a sentence outside the advisory sentencing guideline system. (Also complete Section VI.)																
v	DEP	DEPARTURES AUTHORIZED BY THE ADVISORY SENTENCING GUIDELINES (If applicable.)																
	A 1																	
	ВЕ	B Departure based on (Check all that apply.):																
	Plea Agreement (Check all that apply and check reason(s) below.): 5K1.1 plea agreement based on the defendant's substantial assistance 5K3.1 plea agreement based on Early Disposition or "Fast-track" Program binding plea agreement for departure accepted by the court plea agreement for departure, which the court finds to be reasonable plea agreement that states that the government will not oppose a defense departure motion.																	
	Motion Not Addressed in a Plea Agreement (Check all that apply and eheck reason(s) below.): 5K1.1 government motion based on the defendant's substantial assistance 5K3.1 government motion based on Early Disposition or "Fast-track" program government motion for departure defense motion for departure to which the government did not object defense motion for departure to which the government objected																	
	3	Othe			and an hardhamad College	(61	,											
	С				notion by the parties for departs	ire (Cn	eck reas	on(s) below.):										
	4A1.3 5H1.1 5H1.2 5H1.3 5H1.4 5H1.5 5H1.6 5H1.11	Criminal History Age Education and V Mental and Emor Physical Condition Employment Rec Family Ties and Military Record, Good Works Aggravating or M	ocational Skills tional Condition on cord Responsibilities Charitable Service, Mitigating Circumstances	☐ 5K2.1 ☐ 5K2.2 ☐ 5K2.3 ☐ 5K2.4 ☐ 5K2.5 ☐ 5K2.6 ☐ 5K2.7 ☐ 5K2.8 ☐ 5K2.9 ☐ 5K2.10	Death Physical Injury Extreme Psychological Injury Abduction or Unlawful Restraint Property Damage or Loss Weapon or Dangerous Weapon Disruption of Government Function Extreme Conduct Criminal Purpose Victim's Conduct		5K2.12 5K2.13 5K2.14 5K2.16 5K2.17 5K2.18 5K2.20 5K2.21 5K2.22 5K2.22	High-Capacity, Semiautomatic Weapon Violent Street Gang Aberrant Behavior Dismissed and Uncharged Conduct										
	D	Explain the fa	cts justifying the dep	parture. (U	se Section VIII if necessary.)													

AO 2	45B (05-MA) (Re	v, 06/0 achmei	05) Criminal Judgment nt (Page 3) — Statement	t of Reasons - D. Massa	nchusetts 10/05											
DEFENDANT: CASE NUMBER: DISTRICT:			1: (ATTHEW DAV 08 CR 10166 ASSACHUSETTS	- 001 - RGS	ENT OF REASON	Jagment Tage 10 of	11									
VI		URT DET			SENTENCE OUT	SIDE THE ADVISOR	Y GUIDELINE SYSTEM										
	A	The sent	tence	imposed is (Check advisory guideline r advisory guideline r	range												
	В	Sentence	e imp	imposed pursuant to (Cheek all that apply.):													
		1	Ple	binding plea agreement plea agreement for a s	ent for a sentence outsid sentence outside the adv			line									
		2	Mo ☑ □	government motion for defense motion for a s	or a sentence outside of sentence outside of the	the advisory guideline system	y and check reason(s) below.): high the government did not object high the government objected										
		3	Oth		eement or motion by the	e parties for a sentence outside	of the advisory guideline system (Check reason(s) belo	w.):									
	С	the na to ref to aff to pre (18 U	ature and leet the love the lo	nd circumstances of the offer e seriousness of the offer equate deterrence to crim he public from further crit he defendant with needed § 3553(a)(2)(D))	offense and the history nse, to promote respect ninal conduct (18 U.S.C imes of the defendant (1 id educational or vocations sparities among defenda	for the law, and to provide just C. § 3553(a)(2)(B)) 18 U.S.C. § 3553(a)(2)(C)) onal training, medical care, or c ants (18 U.S.C. § 3553(a)(6))	Il that apply.) dant pursuant to 18 U.S.C. § 3553(a)(1) punishment for the offense (18 U.S.C. § 3553(a)(2)(A) ther correctional treatment in the most effective manne										
	D	Explain	the f	facts justifying a se	entence outside th	e advisory guideline sys	tem. (UseSection VIII if necessary.)										

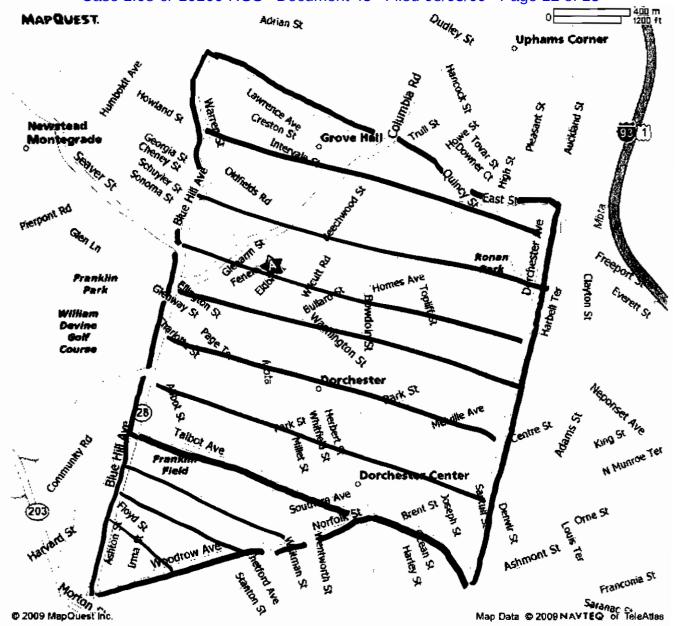
AO 245B (05-MA) (Rev. 06/05) Criminal Judgment

Attachment (Page 4) — Statement of Reasous - D. Massachusetts - 10/05

MATTHEW DAVIS

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CAS		OANT UMB CT:		1: 08 MAS	8 (CR	10	I66	_	001	1 -	RC	38								,	uue	, men		1 4	5 °	11,	01	''		
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VII	co	URT 1	DET	ERMI	٧A	TIC	NS	OF	RES	TIT	UTI	(ON																			
A 🗸 Restitution Not Applicable.																															
B Total Amount of Restitution:																															
	C	Rest	itutio	on not o	rde	red	(Ch	eck o	only	one.)):																				
		1		For offe										-									dered	beca	usc	the nu	ımber	rof			
		2		For offe issues of that the	f fac	et an	d rela	ting tl	hem to	o the e	cause	or an	nount o	of the v	victim	s' loss	cs w	ould c	omp	licate	or p	roloi	ng the	sente	cnci	ng pro	occss	to a do	egree)(B).	
		3		For other ordered the need	bec	ausc	the c	ompli	cation	n and p	prolo	ngatio	on of th	he sent	cnein	g proc	ess r	esultin													
		4		Restituti	ion ·	is no	t orde	ered fo	or oth	er reas	sons.	(Ехр	olam.)																		
VIII	D (AD)	DITIO		tial resti															plie	eabl	e.)										
			Se	ections l	I, I	I, II	I, IV	, and	l VII	of th	he S	taten	nent (of Re	ason	for	n m	ust b	e ec	omp!	leted	l in	all fe	elon	у са	ases.					
Defe	ndan	t's S oc	. Sec	c. No.:	0	00-	00-9	462									I	Date o	f)	npo:	sitio	n of	fud	gme	n		`				
Defe	ndan	t's Dat	te of	Birth:	1	988											-	T.) 	7	1	_	九	┪	Ħ			7			
Defe	ndant	's Res	siden	ce Addı	ress	s: I	Oorch	ester,	MA,							rar-	S	ignat	ure	of J	udg	e	√	. 8	<u>~4</u>	4/V	<u>' 177</u>	<u> </u>	· · ·		
Defe	ndant	i's Ma	iling	Addres	s:											1	ne H N D	Ionora Iame Date S	and	Hit Tit ed	le of	G. S	de S	18	} -	O	e, ∪] .	.S. D	nstric	ct Court	



UNITED STATES V. MATTHEW DAVIS 08-10166-RGS

GEOGRAPHIC RESTRICTION

While on supervised release, Matthew Davis will be precluded from entering the shaded area on the above map which is bounded by Blue Hill Avenue, Quincy/East Streets, Dorchester Ave, and Talbot Ave/Norfolk Street/Woodrow Ave. After the fist year of Supervised Release, Probation may permit Matthew Davis to enter this area during daylight hours only to visit with family members on holidays or other special occasions. Such permission shall only be granted for a specific day absent further order of the Court and shall not permit Matthew Davis to contact or be in the company of anyone included in his associational restriction.

1.18 CK 1016

Case 1:08-cr-10166-RGS Document 43 Filed 08/03/09 Page 13 of 13 ASSOCIATIONAL RESTRICTION

While on Supervised Release, Matthew Davis is prohibited from contacting or being in the company of the following members/associates of the Morse Street Gang:

1. Nathaniel Awan

42. Chancellor Young

- 2. Andre Barnett
- 3. Terahn Blue
- 4. William Boyd
- 5. Jaquan Braxton
- 6. Jonathan Braxton
- 7. Jamal Brodie
- 8. Martel Burgan
- 9. Broshawn Coakley
- 10. Henry Coakley
- 11. Avery Combs
- 12. Marcel Dixon
- 13. Theophilus Eve
- 14. Frankie Fairweather
- 15. Ellis Golden
- 16. Desmond Harris
- 17. Dimitri Harris
- 18. Khayree Horton
- 19. Lamont Jacobs-Barrows
- 20. Brandon Johnson
- 21. Laurence Justice
- 22. Dwan Knight
- 23. Ronnie Langham
- 24. Rafael Mirambeaux
- 25. Alexander Mojica
- 26. Damien Oliver
- 27. Melvin Palmer
- 28. Percy Palmer
- 29. Kareem Parker
- 30. William Pritchett
- 31. Tyrone Rutledge
- 32. Ramses Smith
- 33. Markie Stokes
- 34. Justin Tomkins
- 35. Rashad Venter
- 36. Walter West
- 37. Calvin White
- 38. Andrick Wilkins
- 39. David Wood
- 40. Keith Woods
- 41. Anthony Young